

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**ALBERT THOMAS,**

Petitioner,

v.

Civil Action No. **3:14CV12**

**HAROLD W. CLARKE,**

Respondent.

**FINAL ORDER**

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. The Report and Recommendation is ACCEPTED and ADOPTED;
2. Respondent's Motion to Dismiss (ECF No. 11) is DENIED AS MOOT;
3. Thomas's Motion to Grant Habeas Corpus (ECF No. 15) is DENIED AS MOOT; and,
4. Thomas's claims and the action are DISMISSED.

Should Thomas desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

The Clerk is DIRECTED to send the Memorandum Opinion and Final Order to Thomas and counsel of record.

And it is so ORDERED.

Date: 2/2/15  
Richmond, Virginia

<p>/s/ <u>JSJ</u> John A. Gibney, Jr. United States District Judge</p>
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